

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

PATRICIA KAMMEYER, et al.	:	Case No. C-1-01-649
	:	
Plaintiffs	:	Spiegel, J.
	:	Black, M.J.
vs.	:	
	:	
CITY OF SHARONVILLE, et al.	:	<u>PLAINTIFFS' MOTION TO SEAL</u>
	:	<u>EXHIBITS 2 AND 11 TO</u>
	:	<u>DEFENDANT NUSS'S MOTION TO</u>
Defendants	:	<u>ENFORCE ORDER (DOC. 248) AND</u>
	:	<u>MEMORANDUM IN SUPPORT</u>
	:	
	:	
	:	

**MOTION**

Plaintiffs respectfully request that this Court order that Exhibits 2 and 11 to Defendant Nuss's Motion to Enforce Orders and for Sanctions (Doc. 248) be sealed, as it improperly reveals information subject to protective orders entered by the Court.

**MEMORANDUM IN SUPPORT**

Defendant William Nuss has filed a motion seeking to compel discovery (Doc. 248). In support of that motion, he submitted as exhibits Plaintiffs' responses to interrogatories (Doc. 248, Exs. 2 & 11). These responses reference and summarize information in the sealed records.

The Court's order governing access to these documents is clear:

If any of the contents of the documents that are [the] subject of this Order are used in discovery or briefing, those portions of any record or filing shall be sealed until further order of this Court.

(Doc. 79 at 3.) Exhibits 2 and 11 to Defendant's motion contain a substantial amount of information that Plaintiffs' counsel learned through their review of the sealed records. By attaching the material to a non-sealed filing, Defendant has violated this Court's protective

Order. Thus, Plaintiffs respectfully request that this Court immediately rectify the transgression by ordering that Exhibits 2 and 11 to Document 248 be sealed.

**Respectfully submitted,**

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**Certificate of Service**

I here by certify that on April 11, 2005, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to all parties for whom counsel has entered an appearance by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/Alphonse A. Gerhardstein